UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

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Howard O. Kieffer,

Plaintiff,

vs.

ORDER ADOPTING THE REPORT AND RECOMMENDATION

Tundra Storage, LLC, et al.,

Defendants.

Civ. No. 14-3192 (ADM/LIB)

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Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED**:

That the present case is dismissed without prejudice for lack of prosecution. <u>See</u> Fed. R. Civ. P.41(b).

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: October 21, 2014 <u>s/Ann D. Montgomery</u>

Ann D. Montgomery

United States District Court Judge